

¶121.123 WIC INFANT FORMULA PROCUREMENT

On motion of Mr. KILDEE, by unanimous consent, the bill of the Senate (S. 2875) to amend the Child Nutrition Act of 1966 to enhance competition among infant formula manufacturers and to reduce the per unit costs of infant formula for the special supplemental food program for women, infants, and children (WIC), and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶121.124 TRADE REPRESENTATIVE AUTHORIZATION

On motion of Mr. ROSTENKOWSKI, by unanimous consent, the Committee on Ways and Means was discharged from further consideration of the bill of the Senate (S. 2880) to authorize appropriations for fiscal years 1993 and 1994 for the Office of the United States Trade Representative, the United States International Trade Commission, and the United States Customs Service, and for other purposes.

When said bill was considered and read twice.

Mr. ROSTENKOWSKI submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause and insert the following:

TITLE I—CUSTOMS AND TRADE AGENCY AUTHORIZATIONS; OTHER CUSTOMS PROVISIONS

SEC. 101. CUSTOMS AND TRADE AGENCY AU- THORIZATIONS.

(a) UNITED STATES INTERNATIONAL TRADE COMMISSION.—Section 330(e)(2) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended to read as follows:

“(2)(A) There are authorized to be appropriated to the Commission for necessary expenses (including the rental of conference rooms in the District of Columbia and elsewhere) not to exceed the following:

“(i) \$45,152,000 for fiscal year 1993.

“(ii) \$48,042,000 for fiscal year 1994.

“(B) Not to exceed \$2,500 of the amount authorized to be appropriated for any fiscal year under subparagraph (A) may be used, subject to the approval of the Chairman of the Commission, for reception and entertainment expenses.

“(C) No part of any sum that is appropriated under the authority of subparagraph (A) may be used by the Commission in the making of any special study, investigation, or report that is requested by any agency of the executive branch unless that agency reimburses the Commission for the cost thereof.”.

(b) UNITED STATES CUSTOMS SERVICE.—Section 301(b) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)) is amended to read as follows:

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) FOR NONCOMMERCIAL OPERATIONS.—There are authorized to be appropriated for the salaries and expenses of the Customs Service that are incurred in noncommercial operations not to exceed the following:

“(A) \$536,582,000 for fiscal year 1993.

“(B) \$558,045,000 for fiscal year 1994.

“(2) FOR COMMERCIAL OPERATIONS.—(A) There are authorized to be appropriated for the salaries and expenses of the Customs Service that are incurred in commercial operations not less than the following:

“(i) \$795,000,000 for fiscal year 1993.

“(ii) \$826,800,000 for fiscal year 1994.

“(B) The monies authorized to be appropriated under subparagraph (A) for any fiscal year, except for such sums as may be necessary for the salaries and expenses of the Customs Service that are incurred in connection with the processing of merchandise that is exempt from the fees imposed under section 13031(a) (9) and (10) of the Consolidated Omnibus Budget Reconciliation Act of 1985, shall be appropriated from the Customs User Fee Account.

“(3) FOR AIR AND MARINE INTERDICTION.—There are authorized to be appropriated for the operation (including salaries and expenses) and maintenance of the air and marine interdiction programs of the Customs Service not to exceed the following:

“(A) \$138,983,000 for fiscal year 1993.

“(B) \$144,000,000 for fiscal year 1994.”.

(c) OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.—Section 141(g)(1) of the Trade Act of 1974 (19 U.S.C. 2171(g)(1)) is amended to read as follows:

“(g)(1)(A) There are authorized to be appropriated to the Office for the purposes of carrying out its functions not to exceed the following:

“(i) \$21,697,000 for fiscal year 1993.

“(ii) \$22,435,000 for fiscal year 1994.

“(B) Of the amounts authorized to be appropriated under subparagraph (A) for any fiscal year—

“(i) not to exceed \$98,000 may be used for entertainment and representation expenses of the Office; and

“(ii) not to exceed \$2,500,000 shall remain available until expended.”.

SEC. 102. CUSTOMS FORFEITURE FUND.

Section 613A(f)(2)(B) of the Tariff Act of 1930 (19 U.S.C. 1613b(f)(2)(B)) is amended to read as follows:

“(B) Of the amount authorized to be appropriated under subparagraph (A), not to exceed the following shall be available to carry out the purposes set forth in subsection (a)(3):

“(i) \$15,000,000 for fiscal year 1993.

“(ii) \$15,450,000 for fiscal year 1994.”.

SEC. 103. REPEAL OF EAST-WEST TRADE STATIS- TICS MONITORING SYSTEM.

(a) REPEAL.—Section 410 of the Trade Act of 1974 (19 U.S.C. 2440) is repealed.

(b) CONFORMING AMENDMENT.—The table of contents for such Act of 1974 is amended by striking out the following:

“Sec. 410. East-West Trade Statistics Monitoring System.”.

SEC. 104. CUSTOMS PERSONNEL AIRPORT WORK SHIFT REGULATION.

Section 13031(g) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(g)) is amended—

(1) by striking out “In addition to the regulations required under paragraph (2), the” and inserting “The”;

(2) by striking out paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 105. REPORTS ON CUSTOMS ISSUES.

(a) ATTRITION.—Not later than February 1, 1993, the Secretary of the Treasury shall submit a report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives (hereafter in this section referred to as the “Committees”) on the causes for the high attrition rates experienced by the United States Customs Service in its Southwest region, with particular focus on border ports of

entry. The report shall include recommendations to the Committees for reducing the high attrition rate.

(b) STAFFING.—Not later than February 1, 1993, the Secretary of the Treasury shall submit a report to the Committees describing the Secretary's plans for staffing at full capacity on a port-by-port basis each of the facilities that has been or will be expanded, built, modernized, or otherwise improved under the Southwest Border Capital Improvements Program.

(c) LOCATION OF OFFICES AND AGENTS.—Not later than the date which is 3 months after the date of the enactment of this Act, the Secretary of the Treasury shall submit to the Committees—

(1) a report analyzing the feasibility of moving the respective Customs Service offices—

(A) from downtown Portland, Oregon to the vicinity of the airport in Portland, Oregon; and

(B) from downtown Chicago, Illinois, to O'Hare International Airport; and

(2) a report analyzing the feasibility of placing drug enforcement agents in the Medford/Grants Pass area in Oregon.

TITLE II—CUSTOMS MODERNIZATION

SEC. 201. SHORT TITLE; REFERENCE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the “Customs Modernization and Informed Compliance Act”.

(b) REFERENCE.—Whenever in subtitle A, B, or C of this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a part, section, subsection, or other provision, the reference shall be considered to be made a part, section, subsection, or other provision of the Tariff Act of 1930 (19 U.S.C. 1202 et seq.).

(c) TABLE OF CONTENTS.—

TITLE II—CUSTOMS MODERNIZATION

Sec. 201. Short title; reference; table of contents.

Subtitle A—Improvement in Customs Enforcement

Sec. 211. Penalties for violations of arrival, reporting, entry, and clearance requirements.

Sec. 212. Failure to declare.

Sec. 213. Customs testing laboratories; detention of merchandise.

Sec. 214. Recordkeeping.

Sec. 215. Examination of books and witnesses.

Sec. 216. Judicial enforcement.

Sec. 217. Review of protests.

Sec. 218. Repeal of provision relating to liquidation on account of fraud.

Sec. 219. Penalties relating to manifests.

Sec. 220. Unlawful unloading or transshipment.

Sec. 221. Penalties for fraud, gross negligence, and negligence; prior disclosure.

Sec. 222. Interpretive rulings and decisions; public information.

Sec. 223. Seizure authority.

Subtitle B—National Customs Automation Program

Sec. 231. National Customs Automation Program.

Sec. 232. Effective date of rates of duty.

Sec. 233. Definitions.

Sec. 234. Manifests.

Sec. 235. Invoice contents.

Sec. 236. Entry of merchandise.

Sec. 237. Appraisal and other procedures.

Sec. 238. Voluntary reliquidations.

Sec. 239. Appraisal regulations.

Sec. 240. Limitation on liquidation.

Sec. 241. Abandonment and damage.

Sec. 242. Customs officer's immunity.

Sec. 243. Protests.